IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

Writ Petition No.25892 of 1997
DATED 5-3-2007

BETWEEN
D.Venkateswarlu.

.. Petitioner

And

The Regional Manager,
APSRTC,
Ongole, Prakasam District and another.

.. Respondents

THE HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.25892 of 1997

ORDER:

The petitioner was appointed as a Conductor in the A.P.State Road Transport Corporation (APSRTC). On the ground that he had acquaintance with computers, his services were taken to operate the computer system. The case of the petitioner is that since the Corporation has extracted work from him for the past more than a decade, he is entitled to be absorbed in the post of a System Supervisor.

No statutory rule, which enables a Conductor in the APSRTC, to be appointed as a Systems Operator/Supervisor, is

brought to the notice of this Court. In the absence of any such statutory prescription, the petitioner has no right to seek absorption as a System Supervisor merely by reason of the his services being engaged for the last decade or so. If the petitioner was not inclined to work on computers, nothing prevented him from insisting that he should have been sent back to his substantive post of Conductor in the APSRTC. On a query as to whether the petitioner was willing to go back to his substantive post, as a Conductor, learned counsel for the petitioner would submit that since the petitioner is fully qualified, he should atleast be considered as a System Supervisor in the vacancies which may arise in the future. Learned counsel would submit that the Corporation itself has submitted a proposal to the Government seeking sanction of several posts of Junior Assistants to enable the services of persons, like that of the petitioner, to be absorbed as Junior Assistants. All these are events subsequent to the filing of the writ petition and do not form part of the pleadings before this court. It is, therefore, unnecessary for this Court to examine whether the petitioner is entitled to be absorbed as a Junior Assistant. Suffice to hold that since the petitioner was appointed as a Conductor, he can only claim consideration of his case for promotion to higher post from that of a conductor. No right accrues in his favour to claim that he should be absorbed as a System Supervisor in the respondent Corporation nor can the petitioner claim that since he was made to work on computers for the last more than a decade, he is entitled to be absorbed in the said post.

The writ petition fails and is accordingly dismissed. No costs.

RAMESH RANGANATHAN,J

Dt: 5.3.2007
msv.